

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
July 26, 2010

PRESENT: TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; DONNA OSBORNE, SELECTMAN; JAMES DONISON, SELECTMAN; KEITH R. LACASSE, SELECTMAN

TOWN ADMINISTRATOR: Naomi Bolton

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Greg Begin, Neal Kurk

7:00 p.m. Chairman Clow called the meeting to order.

This will be a regular meeting due to the power outage at the last regularly scheduled meeting.

Chairman Clow moved, Selectman seconded to enter into non public session @ 7:01 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Osborne seconded to come out of non public session @ 8:05 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Selectman Lacasse moved, Selectman Osborne seconded to seal and restrict the minutes of the non public session. Passed 5-0-0

PUBLIC COMMENT – Mr. Neal Kurk said that he sent a letter to the Board a regarding the Board approving the purchase of software that allows the Tax Collector to put various information of the taxpayers on the internet. He is concerned with moving in this direction because it increases the possibility of identify theft and is a potential danger to all residents. Mr. Kurk understands that people can come to the Town Hall and find any information they want, but when that information is put online it increases everyone's risk. He suggested to the Board to find a way for people who are concerned with their privacy and identity to opt out. He understands that the software allows them to not include information about every taxpayer.

Chairman Clow said the Board has not yet discussed this issue.

DEPARTMENT HEAD – Chief Begin said over the past week, at the direction of the Board and the Town Administrator, he has done nine interviews for a custodian. He had argued back and forth over the five hours allotted and said in order to keep the building clean they need at least ten hours of cleaning time. He is not sure where he will get the money for the extra hours. Chief Begin said he spoke with all of the candidates and whoever gets the position will put in six or seven hours on Monday to get the building clean for the rest of the week and come back in on Thursday or Friday to get the building ready for the weekend. Chief Begin said he would like to hire an individual who has a cleaning business in Manchester because he was best suited for the position. There would be a contract for \$465 per month to clean the Police Department side of the Safety Complex. They would not have to pay FICA or Medicaid. The individual will bring all the cleaning solutions and all needed equipment for cleaning; does not cover paper products. He is a Weare resident and all of his employees have gone through background checks.

FINAL

Vice Chairman Butt commented that the hours have doubled but the amount of pay did not double and he feels it is a good price.

Mrs. Bolton, Town Administrator, said she spoke with Malcolm Wright and he will be capped at fifteen hours. He is currently budgeted for twenty hours, but works an average of thirteen. Chief Begin will have to make up the difference in his budget.

Selectman Lacasse asked about the position being in the default budget. Vice Chairman Butt said there will be a signed contract. The contract will be for one year at a guaranteed monthly price of \$465.00, with a thirty day out for either party. This is a total of \$2,230 extra for the year that is not currently in the budget. Chief Begin recommends putting another line into his budget and he will take from the overtime line. Chairman Clow said for requisition they will be moving from one line in the budget to another, but the bottom line will remain the same. There will be a line added to the Police Department budget to utilize for the custodial position. Half of the amount for the custodial position will come out of the Town Hall budget. There will be notations in the budget to explain where the money was moved too and where it came from.

Chief Begin mentioned the floors of the Police Department and informed the Board that he had the prisoners come in to work on the floors in the passed, but this was not successful. The VCT flooring needs to be stripped and waxed, which has been done before but the problem was they never had anyone to maintain them, and now the custodian can maintain the floors. The \$440 will come out of the Police Department Maintenance line.

Vice Chairman Butt moved, Selectman Osborne seconded to approve the hiring of A Cleaner Solution at a monthly price not to exceed \$465.00 to clean the Police Department side of the Safety Complex. Passed 5-0-0

Chairman Clow mentioned the Police Canine Program and said that he is not sure if the Board will want to continue the program. It was discussed that there were expenses associated with the program that the Board was not aware of when the program was approved. Chief Begin said the program is beneficial to the Police Department. The Board would like to have Chief Begin and Officer Kelley come before them to hold a discussion.

Chairman Clow opened the public hearing at 8:56 p.m.

CONTINUED PUBLIC HEARING – To hear public testimony and comment on information regarding the Town establishing a scholarship fund from Beverly Townes in the memory of Earl Townes and Joseph Brennan to be funded by the sale of timber on her property in Weare, NH at the time of her death

Chairman Clow closed the public hearing at 8:57 p.m.

Vice Chairman Butt moved, Selectman Osborne seconded to accept the gift from Beverly Townes in the memory of Earl Townes and Joseph Brennan to establish a scholarship fund to be funded by the sale of timber on her property in Weare, NH at the time of her death. Passed 5-0-0

MANIFESTS

Chairman Clow moved, Selectman seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated July 29, 2010. Passed 5-0-0

Accounts payable	\$299,409.71	(John Stark \$250,000)
Gross Payrolls	\$38,655.09	(Includes Spec. Detail, Taxes, Credit Union)
	<u>\$898.04</u>	(Forest Fire)
Total	\$338,962.84	

MEETING MINUTES

Chairman Clow moved, Selectman Lacasse seconded to approve the minutes of July 6, 2010 as amended. Passed 4-0-1 Selectman Donison abstained.

Selectman Donison moved, Selectman Osborne seconded to approve the minutes of July 12, 2010 as amended. Passed 4-0-1 Selectman Lacasse abstained.

FINAL

Discuss Negotiation Teams – PD & DPW – Chairman Clow said this was put on the agenda to see if everyone was going to still sit on their current negotiation teams. The Police Department negotiation team is made up of Chairman Clow, Vice Chairman Butt, Chief Begin, and Town Administrator, Naomi Bolton. The Department of Public Works negotiation team is made up of Selectman Lacasse, Selectman Donison, Carl Knapp, and Town Administrator, Naomi Bolton. Chairman Clow asked that each team keep the Board updated on the negotiations.

The Board cannot discuss specifics regarding the negotiations in public session, but they can hold discussion in a non meeting, which is not non public, but not public session just negotiation discussions.

2ND QUARTER BUDGET REVIEW – Mrs. Bolton, Town Administrator, said she sent all Board members written reports on the budget.

Vice Chairman Butt said the budget is where it should be, with 50% remaining. The one time expense items have been paid out, with the operating expenses doing better, but the budget can be misleading due to the one time expenditures. As revenues drop, the tax rate will go up if they spend all the money they are authorized to spend.

Mrs. Bolton, Town Administrator, informed the Board that she spoke with Evelyn Connor regarding revenues and she thinks that the revenues for motor vehicles will go down. Residents are not getting new cars, therefore motor vehicle registration revenue is going down. At this point the revenue is down \$60,000 from what was projected.

Chairman Clow said they really can't save on the tax rate by not spending out of this budget, they can look at the projected revenue and see if it is available, but they can't take from the operating budget to offset the tax rate. Vice Chairman Butt commented on not having the luxury of an Unreserved Fund Balance. Chairman Clow said the members of the Board do have different opinions. The budget is usually fairly tight towards the end of the year, but he would be reluctant to freeze everything because of inhibiting services, which are already inhibited by not passing the operating budget. They can't make up the shortfall in revenue.

Selectman Lacasse said it comes down to the same argument they had when developing the budget, level of service to working with the budget passed by the townspeople. He thinks that people vote the way they do, based on what they feel they want their tax bill to be. Selectman Lacasse said that to some degree people make that calculation when they vote and if it means a few less services to maintain the tax bill, that is what they expected when they voted or if they want increased services they pass the budget. Vice Chairman Butt said they have not had to cut services and he does not think people will vote for a budget because they want additional services. He does not see any reason for not looking at the possibility of lowering taxes.

The Board discussed that they are all willing to look at the operating budget to look for the possibility of savings. If a department's budget is not efficient they need to look at it. They are saving money now by not filling open positions. The loss of revenue will affect the tax rate. Selectman Lacasse feels that they should look towards department heads to streamline their budgets. Vice Chairman Butt said there are some areas they need to look at as a Board. He is concerned with the Capital Reserve Fund. Chairman Clow said they are looking at the budget from two different ways; efficiency and having money left at the end of the year to help balance the tax rate. He does not think they can make up the loss in revenue by pulling out red pens and stating that departments can not spend on certain items. The Board has the responsibility to provide services that were voted on. They are not mandated to cut an approved default budget by the amount they lose in revenues. Vice Chairman Butt said they are trying to influence the vote, default vs. operating. The Board discussed that car registrations have been reducing yearly.

Selectman Donison said if the revenues are less than projected, he would like to ask the Town Administrator to find avenues to save that amount in efficiencies. Vice Chairman Butt said that he does not see where they can get \$60,000 or more unless they make a concerted effort to do so and reduce services. Selectman Lacasse said he does not think they have the knowledge to determine where services need to be cut. Vice Chairman Butt

FINAL

thinks it is easy; cut days that department's are open. Selectman Lacasse said they can cut each department's budget and say this is the amount that can be spent. Selectman Donison would like to see department heads hold discussions with the Town Administrator.

The town received \$10,000 in unanticipated revenue from the retirement system.

Vice Chairman Butt likes the approach of increasing efficiencies and reducing costs. Selectman Lacasse thinks that this needs to happen sooner rather than later.

There was overtime in the Police Department and Public Works departments on the Manifest.

Mrs. Bolton, Town Administrator, feels there are ways of being efficient. She mentioned that the June phone bill was \$326 for long distance calls, which are mainly cell phone numbers.

Chairman Clow said the only thing they have control over is salaries, employees, and hours of operation. They do not have control over things like fuel and utilities. With \$100,000 loss in revenue they have to start making difficult decisions.

Vice Chairman Butt said they will be lucky to have \$50,000 in the Unreserved Fund Balance to offset taxes.

Chairman Clow said they need to look at the legal budget, which will run in deficit and there are ongoing cases generating legal bills. Land use has one legal issue remaining and there are personnel issues remaining. There is \$11,500 remaining in the legal budget for the next five months. There are also ongoing issues with the Police Department and one legal issue in Zoning as well as invoices that have not come in yet. Chairman Clow said realistically there is \$8,000 left. The Deliberative Session costs \$2,500 in legal expenses. Selectman Lacasse mentioned predicting the costs of negotiations and putting the expense within those departments.

ACCRUED TIME DISCUSSION – The Board discussed that there is \$113,615 in outstanding accrual liabilities. Vice Chairman Butt said that he spoke with Primex regarding paying out accruals and he was told that the money they owe employees is a contractual obligation, therefore can be put in the default budget when someone is retiring. Selectman Lacasse said that he prefers to avoid the spikes year from year depending upon who is retiring and prefers to use the Capital Reserve Fund. He also mentioned that their intent was to cap the amount of accruals in the personnel policy. There is \$30,000 currently in the Capital Reserve Fund. Chairman Clow said they need to be careful when looking at which employees who are approaching retirement. Chairman Clow questions if it is a requirement to notify the town of a planned retirement. Vice Chairman Butt said if they pay out the top four 50% of that liability will take the \$30,000.

Selectman Lacasse said he would argue against asking the voters to fund the fund but then not spend the money. Chairman Clow said they could state that any employee planning on retiring needs to notify the town prior to December 1 of the previous year.

Vice Chairman Butt said if they ask for funding for the Capital Reserve Fund and don't get the funding the expenditures will need to come from the operating budget.

Vice Chairman Butt said the argument that the town has \$113,000 in liability was not made. The Board is not in agreement of spending a portion to lower the town's liability. They will look at the Personnel Policy to see where the changes need to be made. Chairman Clow said that the Board needs to decide if they are going to start paying down the town's liability before asking for additional money.

Vice Chairman Butt commented that employees have been promoted, salaries have increased, and now the money that is owed to them will increase.

Chairman Clow said they will bring the Personnel Policy back in for revisions.

Mrs. Bolton, Town Administrator, will review the NH State Retirement policies.

Selectman Lacasse would like to pay down the town's liability. Selectman Donison and Selectman Osborne prefer to keep the fund as a cushion and then revisit. Chairman Clow said that if they make the change in the personnel policy and set the required date to notify the Board of a planned retirement then when the date arrives they will have time to revisit. He does not agree with paying down the liability, but would be more open if he

FINAL

knew there were no retirements this year. Vice Chairman Butt likes it as an obligation to include in the default budget and not using the Capital Reserve Fund.

ADMINISTRATIVE REPORT – Mrs. Bolton, Town Administrator, asked the Board if they want to support the 604B Grant to perform an engineering design study to correct the water crossing on Mountain Road.

Vice Chairman Butt moved, Selectman Osborne seconded to authorize the Chairman to sign the letter of support for an application by the Weare Conservation Commission for Grant 604B with the funds to be used to correct crossings on Mountain Road and Eben Paige Road. Passed 3-2-0 Selectman Lacasse and Selectman Osborne voted no.

Selectman Lacasse feels when something is needed in town then the town should pay for it and not look to the Federal government for funding.

Mrs. Bolton, Town Administrator, commented on the report from Mike Dahlberg regarding Clinton Grove and said that the abutters are not happy with the decision. Chairman Clow said the Wright's do have the right to come before the Board to discuss the issue; the Board can not do anything other than accept what the surveyor states. Selectman Lacasse feels when the Wright's come before the Board they would need to be able to answer their questions intelligently. Chairman Clow said it would be an empty process because there is nothing the Board can do for them; they have to stand by the surveyor's findings.

Mrs. Bolton, Town Administrator, informed the Board that the tax kiosk is up and several people have made positive comments. It has made a big difference with the phone calls coming into the office.

Chairman Clow said they received a letter from a resident requesting that their information not be put online. Mrs. Bolton, Town Administrator, said that they will need to have to set criteria because everyone will ask to opt out. Vice Chairman Butt said he spoke with Avitar and they do not know of any cases where people have used this information in a criminal manner. The information is available to the public by coming into the Town Hall; having the information online saves the town money. 100 communities in New Hampshire utilize this service. Vice Chairman Butt did not ask Avitar if any other communities suppress information. Selectman Lacasse does not think it would make it less efficient if some people choose to opt out and feels that the arguments made in public comment tonight were good arguments. If people do not want their information available online, it is their personal choice. Vice Chairman Butt asked what if more than 25% of the residents come in with a letter asking to opt out. Selectman Lacasse said that it was a bad decision that the Board made to put the information online. Vice Chairman Butt said no, the decision was based on saving money and reducing workload. Selectman Lacasse does not think they should stop people from opting out. Vice Chairman Butt asked about the assessing information. Selectman Lacasse said the same thing they should allow resident that ask to opt out. Assessing information shows the lay out taxpayer's homes and is accessible only by realtors and appraisers and is not available to residents of town. The tax kiosk can be viewed by anyone and shows tax amount and when they are due; can search by name, lot number or address. Selectman Lacasse said that he is not arguing against the Board's decision, thinks it is good and cuts down on work, but if a resident is requesting to opt out they should be allowed. Selectman Osborne said people have the right to not want their information online. Mrs. Bolton, Town Administrator, will find more information regarding whether opting out causes problems.

Mrs. Bolton, Town Administrator, informed that Board that Evelyn Connor and Maureen Bilodeau would like to attend Election Training on Wednesday, August 18th from 9-1. They are requesting that the office be closed until 2:00 and be open from 2-7 on that day. Mrs. Bolton, Town Administrator, stated that Ms. E. Connor feels that one or more Selectmen should attend and know the process. Selectman Donison prefers the office not be closed because it is an inconvenience to the public. The Board agreed to close the office to allow them to attend the Election Training and post it as soon as possible.

Quotes to repair the Town Hall doors have been received from Moosehill Home Care \$875 and Ed Belanger \$725 with 50% of the balance due at acceptance and 50% due at the completion.

FINAL

Selectman Lacasse moved, Vice Chairman Butt seconded to accept the proposal from Ed Belanger to repair two entry doors at the Town Hall at price not to exceed \$725 with the exception that the balance be due at completion of the project. Passed 3-2-0 Chairman Clow and Selectman Osborne voted no.

Chairman Clow feels that with the conditions of the doors he does not see how \$725 will bring the doors up to a level to be proud of. Selectman Lacasse thinks it will make a difference. To replace the doors it would cost \$30,000 and the \$725 just addresses the doors, not the center support.

Chairman Clow informed the Board that they received an email from Christine Hague at the Library regarding the asbestos testing.

Selectman Lacasse moved, Selectman Donison seconded to accept a proposal from RPF Associates for a cost of up to \$1,250 for up to 30 plm tests for asbestos in the Library with the funds to come out of the Building and Maintenance Reserve Fund. Passed 5-0-0

Chairman Clow said they stressed when Ms. Hague was before the Board the need to get things done and this is a necessary step. Vice Chairman Butt asked if anyone spoke with Ms. Hague regarding a qualified engineer, since they received approval from the Trustees. Selectman Lacasse said that Ms. Hague wanted to hire the same one as before and he thinks he may do fine, but feels this is another project and she should get three more bids. Selectman Lacasse said he will speak with Ms. Hague.

OTHER BUSINESS – Chairman Clow reminded the Board that when they met with Bruce Richards from Cutting Blade they spoke about an addendum to his contract regarding things being in order on Memorial Day. Chairman Clow said they need to put together a letter for Mr. Richards to sign. Selectman Lacasse said they also discussed that Mr. Richards will come in three weeks prior to Memorial Day to speak with the Cemetery Trustees.

Chairman Clow mentioned that Selectman Lacasse asked about identifying the departments on the agenda that the non publics affect. Selectman Lacasse said the agenda is posted for the public and he thinks the public should know why they are in non public. Chairman Clow said the law allows them to go into non public. The non publics will be listed on the agenda with no change.

Chairman Clow moved, Selectman seconded to enter into non public session @ 11:01 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 5-0-0

Chairman Clow moved, Selectman Osborne seconded to come out of non public session @ 11:35 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0

Vice Chairman Butt moved, Selectman Osborne seconded to seal and restrict the minutes of the non public session. Passed 5-0-0

ADJOURNMENT

Selectman Donison moved, Chairman Clow seconded to adjourn at 11:36 p.m. Passed 5-0-0

A True Record.

Cherry Palmisano, Recording Secretary